

AMENDED IN ASSEMBLY APRIL 22, 2008

AMENDED IN ASSEMBLY APRIL 9, 2008

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 2822

Introduced by Assembly Member Duvall

February 22, 2008

An act to add Section 404.5 to the Education Code, relating to the English Language Acquisition Program.

LEGISLATIVE COUNSEL'S DIGEST

AB 2822, as amended, Duvall. English Language Acquisition Program: reclassification.

(1) Existing law establishes the English Language Acquisition Program and requires the Superintendent of Public Instruction to allocate to each participating local agency, for each pupil enrolled in any of grades 4 to 8, inclusive, \$100 per school year. Existing law authorizes local educational agencies to receive an allocation of \$100 on a one-time basis for each English language learner enrolled in kindergarten or any of grades 1 to 12, inclusive, who is reclassified to English-fluent status. Each local educational agency applying for an allocation is required to describe the procedures and criteria for reclassification.

This bill would require each local educational agency that ~~applies for an allocation~~ *serves English language learners* to report to the State Department of Education on the criteria it uses for reclassification of English language learners to ~~English-fluent status~~ *proficient in English*. The department would be required to post the criteria it receives from local educational agencies on the Internet Web site of the department

in a manner that makes the posted criteria easily accessible to members of the public.

By requiring local educational agencies to perform additional duties, this bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 404.5 is added to the Education Code,
2 to read:

3 404.5. (a) Each local educational agency that ~~applies for an~~
4 ~~allocation pursuant to subdivision (b) of Section 404~~ *serves English*
5 *language learners* shall report to the department on the criteria it
6 uses for reclassification of English language learners to
7 ~~English-fluent status~~ *proficient in English*.

8 (b) The department shall post criteria it receives from local
9 educational agencies pursuant to subdivision (a) on the Internet
10 Web site of the department in a manner that makes the posted
11 criteria easily accessible to members of the public.

12 SEC. 2. If the Commission on State Mandates determines that
13 this act contains costs mandated by the state, reimbursement to
14 local agencies and school districts for those costs shall be made
15 pursuant to Part 7 (commencing with Section 17500) of Division
16 4 of Title 2 of the Government Code.